

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTIETH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 15405 of 2004

Between:

- 1 Kudipudi Satyanarayana, S/o Appa Rao,
R/o Chenavanganipalem, Bhimavaram, West Godavari District.
- 2 Kudipudi Naresh, S/o Satyanarayana,
R/o Chenavanganipalem, Bhimavaram, West Godavari District.

..... PETITIONERS

AND

- 1 The Commissioner of Police, Visakhapatnam Urban, Visakhapatnam.
- 2 The Superintendent of Police, Visakhapatnam Rural, Visakhapatnam.
- 3 The Superintendent of Police, Vizayanagaram.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ or direction particularly in the nature of Writ of Mandamus or any other appropriate Writ declaring the action of the respondents in interfering with the exhibition of the skill games such as a) ring throw, b) Ball Box, (c) Video Games, (d) dart throw and (e) steel games, by the petitioner as illegal, void, without power and jurisdiction and also contravention of Section 15 of the A.P.Gaming Act, 1974

Counsel for the Petitioners: MR.V.R.AVULA

Counsel for the Respondents: GP FOR HOME

The Court made the following :

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ORDER:

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Heard the learned counsel for the petitioners and the learned Government Pleader for Home appearing for the respondents.

It is represented by the learned counsel for both the parties that the issue raised in this writ petition is squarely covered by the decision of this Court in W.P.No.16596 of 2003, which was disposed of with certain observations and directions.

Accordingly, following the order in W.P.No.16596 of 2003, the writ petition is disposed of with the following observations and directions:

- “1. The petitioners who are running the games centre for playing video games is not required to take out any licence under the A.P.Gaming Act;
2. It is not suggested that the licence is required under the Provisions of any other Act;
3. The Respondent-Police Officers have no power to interfere with the running of centres for playing video games on the electronic equipment on the ground that the petitioners do not possess the licence; and
4. If it is felt that the petitioners have contravened any of the provisions of the A.P.Gaming Act, it is open for the authorities to take action to prosecute the petitioners.”

Writ petition is disposed of. No costs.

30-08-2004

Note: Issue C.C in three days.

B/o.

vs

To

- 1 The Commissioner of Police, Visakhapatnam Urban, Visakhapatnam.
- 2 The Superintendent of Police, Visakhapatnam Rural, Visakhapatnam.
- 3 The Superintendent of Police, Vizayanagaram.
- 4 Two CCs to the G.P for Home, High Court Buildings, Hyderabad(O.U.T).
- 5 Two CD copies.